IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO. 357 OF 2003

IN

SUMMARY SUIT NO. 2855 OF 2002

Synchrotech Services Pvt.Ltd.... Plaintiff

versus

Rational Engineering Pvt.Ltd.....Defendant

...

Ms.Neela Mahota for the plaintiff.

Ms.Nandini Menon for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 12th January 2005.

P.C.:

1. Heard the learned counsel for the plaintiff and the learned counsel for the defendant.

2. The learned counsel for the plaintiff undertakes to file affidavit of service. Despite service of Summons for Judgement, the defendants have

not filed any affidavit in reply nor filed any application for leave to defend. The learned counsel for the defendant submits that the defendant only wants time for payment of six months and the defendants would pay the amount claimed in six months in instalments. The learned counsel for the plaintiff has no objection for grant of reasonable instalments.

3. In the circumstances, Summons for Judgement is made absolute and the suit of the plaintiff is decreed as follows:-

4. The defendant shall pay to the plaintiff a sum of Rs.3,88,665/- together with interest on the principal sum of Rs.2,40,000/- at 12% p.a. from the date of the suit till payment. The defendants are allowed to pay the said sum by instalments of Rs.65,000/- p.m. The first instalment to be paid on or before 10th February 2005 and each subsequent instalment to be paid on or before 10th of each British calendar year. In the last instalment, the entire balance due shall be paid. In the event of failure to pay any two instalments, the plaintiff shall be entitled to execute the decree forthwith.

D.G. KARNIK, J